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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/840,467 | 04/24/2001 | Sung Lyong Lee | Q62056 | 1924 |

7590 06/04/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213

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| EXAMINER |
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ALPHONSE, FRITZ

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| ART UNIT | PAPER NUMBER |
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2675

DATE MAILED: 06/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,467

Applicant(s)

LEE, SUNG LYONG

Examiner

Fritz Alphonse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanaya (U.S. Pat. No. 6,519,009).

As to claim 2, Hanaya (figs. 1, 13) shows an OSD display apparatus, comprising: an OSD source remote controller (5) for generating an OSD cursor display command on a screen; an OSD source (see figure 13) for transmitting a plurality of OSD multi cursor display data by giving each OSD multi cursor display data a peculiar ID (col. 11, lines 5-16) and transmitting a selected OSD multi cursor ID and display location information in the case that there is an OSD multi cursor display command from said OSD source remote controller; and a display apparatus (col. 12, lines 45-52; col.

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10, lines 41-47) for storing the plurality of OSD multi cursor display data received from said OSD source in a memory and reading an OSD multi cursor display data having a corresponding ID (note the logo ID and dada ID for identifying video data and MPEG audio data on the screen; see col. 12, lines 9-19) from said memory and displaying the OSD multi cursor display data on a screen at a given display location in response to the received OSD multi cursor ID and display location information (see figures 21-22).

As to claim 3, Hanaya (figs. 1, 13) shows an OSD image display apparatus, wherein the OSD source comprises: an MPEG source for supplying an MPEG transport stream to the display apparatus (note the logo ID and dada ID for identifying video data and MPEG audio data on the screen; see col. 12, lines 9-19); an OSD generator for generating OSD display data in bitmap format (see figure 21, SP44; col. 12, lines 45-52); a register (fig. 13: 24a) for storing data provided to the display apparatus upon initial connection of the display apparatus and the OSD source; and a controller (CPU 29; fig. 13) for controlling the MPEG source, the OSD generator, and the register (col. 7, lines 26-35).

As to claims 4, 7, Hanaya (figs. 1, 13) show an OSD image display apparatus, wherein the OSD source further comprises: a command input part (2) for receiving a command signal from the OSD source remote controller (5) and providing the command signal to the controller (CPU 29).

As to claim 5, Hanaya (figs. 1, 13) show an OSD image display apparatus, wherein the display apparatus comprises: an MPEG decoder (25) for decoding an MPEG transport stream and outputting image data; a buffer (35) for buffering OSD data; an overlapper (figs. 18, 19 show the overlapping sections) for overlapping the image data and the OSD data and providing overlapped

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data to the screen; and a controller (29) for controlling the MPEG decoder, the buffer, the overlapper, the memory, and the screen.

As to claim 6, Hanaya (figs. 1, 13) show an OSD image display apparatus, wherein the OSD image display apparatus further comprises: a display apparatus remote controller (5).

As to claim 1, method claim 1 corresponds to apparatus claim 2. Therefore, it is analyzed as previously discussed in claim 2 above.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hanaya et al. (U.S. Pat. No. 5,754,258) discloses a program switching device and method which can prevent a disorder of images and an invisible state of the image.

Vogel (U.S. Pat. No. 5,253,066) discloses a TV recording and viewing control system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.
VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone number
is (703) 306-0377.



F. Alphonse

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December 12, 2002



STEVEN SARAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600